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FACSIMILE TRANSMITTAL

DATE: May 24, 2005

TO: Commissioner of Patents

FAX: 703-872-9306

FROM: Joel R. Meyer

PAGES: 8 (including cover)

RE: U.S. Patent Application No. 09/636,102

FILED: August 10, 2000

FOR: WATERMARK ENCODER AND DECODER
ENABLED SOFTWARE AND DEVICES

ART UNIT: 2174

DOCKET NO.: 60259W

☒ Urgent

☐ For Review

☐ Please Reply

FACSIMILE COVER LETTER

Attached is a Reply Brief for the above referenced matter. Please charge any fees which may be required in connection with filing this paperwork and any extension of time, or credit any overpayment, to Deposit Account No. 50-3283.

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Attorney for Applicant

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Response Under 37 CFR § 1.116
Expedited Procedure

Ramos et al.

Art Unit 2174

Application No.: 09/636,102

Filed: August 10, 2000

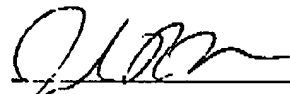
Examiner: T. Vu

For: WATERMARK ENCODER AND
DECODER ENABLED SOFTWARE
AND DEVICES

Date: May 24, 2005

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REPLY BRIEF

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Applicant responds to the Examiner's answer as follows:

Claims 2, 5-7 and 9-20 stand finally rejected and appealed. These claims are independently patentable for the reasons set forth in the Appeal Brief and further elaborated below. On page 8, the Examiner has clarified his position that Houser's security object corresponds to the claimed watermark. This reply addresses this clarification as well as the Examiner's new positions stated for the first time in the Answer.

The Examiner now takes the position that Houser's security object corresponds to a watermark, as recited in some of the claims. The Examiner has now made this interpretation of the term "watermark" after moving away from previous citations to Houser's use of the term "watermark." Appellant agrees that Houser's use of the term "watermark" is not applicable to the claims including this term.

A watermark is described in the patent application through descriptions of how it is embedded in media, such as: "Digital watermarking is a process for modifying physical or electronic media to embed a machine-readable code into the media" page 1, lines 22-23; and "The encoder embeds a watermark by altering the host media signal." Page 2, line 2. Houser does not teach such modifying of media to embed or encode a watermark.

As pointed out below, the claims are still patentable over the cited references, even under the Examiner's interpretation of the term, "watermark."

Claim 2

The Examiner contends that Houser anticipates claim 2, suggesting that the claimed watermark corresponds to Houser's security object. Assuming for the sake of argument that the security object is a "watermark" as claimed, Houser fails to teach "a file browser extension for decoding an object identifier from the security object and displaying in an extension of the user interface metadata or an action associated with the media object file via the object identifier." The Examiner refers to a decryptor 820, the security object embedder, and the security information extractor in Houser as possibly corresponding to the claimed file browser extension. But none of these elements decode an identifier from the security object and display, in an

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extension of the user interface of a file browser, metadata or an action associated with the media object file via the object identifier. Houser does refer to an "identifier" used to invoke verification processing at col. 15, line 19, but Houser does not teach displaying metadata or an action that is associated with the media object file via this identifier. Rather, this identifier is used to invoke verification processing.

At col. 16, lines 34-51, Houser explains that the results of the verification process can be indicated to a document reviewer by displaying or printing a message. However, Houser does not teach that this displayed or printed message corresponds to metadata or an action that is associated with the security object via the identifier decoded from the object as claimed.

Houser also provides no teaching regarding displaying the metadata or an action in an extension of the user interface of a file browser. In other words, claim 2 specifies that the file browser extension displays the metadata or an action in an extension of the user interface of the file browser. Thus, even assuming that a security object corresponds to the claimed watermark, Houser fails to teach the file browser extension that both decodes an identifier from the security object and displays, in an extension of the user interface of a file browser, metadata or an action associated with the media object file via the object identifier as claimed.

Claim 5

The Examiner contends that Houser's verification processor corresponds to the claimed metadata server. As with claim 2, this is a new position taken by the Examiner not previously stated in the final rejection or advisory action. Appellant disagrees that the verification processor is a metadata server as claimed.

Even assuming that the verification processor corresponds to the claimed metadata server, Houser fails to teach forwarding an object identifier to the verification processor, and displaying metadata or an action returned from this processor in an extension of the user interface of the file browser as claimed.

Claim 6

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Houser does not teach a file browser extension that displays in an extension of the user interface of the file browser metadata from the media object file along with metadata returned from the metadata server.

Claim 7

Nothing in the Examiner's response to the Appeal Brief arguments for claim 7 overcomes the fact that Houser fails to teach: "the metadata or action is displayed as a URL link to information or a program associated with the selected media object file" in combination with the other elements of claim 7.

Claim 9

In addition to the positions stated previously, and in reply to the Examiner's response, Houser fails to teach: "a file browser extension"... "displaying in an extension of the user interface one or more options for enabling a user to enter input to control the encoding of the object identifier" as set forth in claim 9. The Examiner relies on col. 13, lines 35-65 as allegedly teaching this aspect of claim 9, yet this passage refers to inserting an "electronic chop," which is unrelated to an object identifier as claimed.

Claim 10

Houser fails to teach an extension to the host application for decoding a watermark from a selected media object file and for displaying in an extension of the user interface of a host application metadata or an action associated with the media object file via the watermark. The Examiner has cited disparate elements of Houser that purportedly teach decoding of a security object and the display of information, yet Houser does not specifically teach the claimed extension to the host application for decoding a watermark and for displaying in an extension of the user interface of the host application metadata or an action as claimed.

Claim 11

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Regarding claim 11, the Examiner has again sought to augment his previous argument by relying on different aspects of Houser. Regardless, Houser fails to teach a listener program for identifying a media object in an HTML document, and for inserting a handler into the document when an object identifier is extracted from the media object, wherein the handler is operable to display metadata linked via the object identifier in response to user input in combination with the other claim elements. The further citations provided in the Examiner's answer fail to establish which program of Houser corresponds to the claimed listener program, and which element of Houser corresponds to the claimed handler. Huntsman fails to provide the elements of claim 11 missing from Houser. Thus, the combination of Houser and Huntsman fail to teach all of the elements of claim 11.

Claim 12

Houser and Huntsman fail to teach or suggest: "the object identifier is decoded from a watermark embedded in the media object." Appellant refers the Board to the earlier discussion about the term watermark, and notes that, in this claim, the watermark is embedded in the media object, which itself, is in an HTML document. If Houser's security object corresponds to a watermark, then in order for Houser's teachings to correspond to the elements of claim 12, the security object would have to be embedded in a media object, which itself, is in an HTML document. Houser does not teach a security object is embedded in a media object, which in turn, is in an HTML document.

Claim 13

Despite the fact that the Examiner now relies on the verification processor in Houser as the claimed metadata server, Houser still does not teach the metadata server of claim 13. Metadata is not retrieved from Houser's verification processor as claimed.

Claim 14

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Appellant's position on claim 14 still stands, notwithstanding the new and different citations to Houser by the Examiner. Houser, for example, does not teach receiving a brand identifier from the metadata server as claimed. The Examiner contends that Houser's verification processor corresponds to a metadata server, but the verification processor does not provide a brand identifier as claimed.

Claim 15

Appellant's position on claim 15 needs no further elaboration in view of the positions stated above and in the Appeal brief.

Claim 16

The Examiner appears to contend that Houser's "electronic chop" corresponds to the claimed brand identifier, yet Houser's "electronic chop" is not received from a metadata server as claimed.

Claim 17

Assuming that the Examiner's position is that the "electronic chop" in Houser corresponds to the claimed graphic, this position is incorrect because the electronic chop is not a hot link as claimed.

Claim 18

The new citations provided for claim 18 are unrelated to the elements of claim 18 and are inconsistent with the Examiner's application of Houser to claim 17 upon which claim 18 depends.

Claim 19

Appellant's position regarding claim 19 still stands. Houser fails to teach a method for extending a user interface of a media player as claimed, including extending the user interface of

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the media player to include a representation of the metadata associated with the media object, where the metadata is specifically obtained according to the claimed acts.

Claim 20

Appellant refers the Board to the above comments regarding interpretation of Houser's security object as a watermark. In this claim, the media object should be interpreted in the context of the claim, namely, that the method recites "requesting playback of a media object." The watermark is embedded in the media object, and the object identifier is decoded from the watermark.

In view of the above and the previous arguments submitted in the Appeal Brief, the claims are patentable over the cited art.

Date: May 24, 2005

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Respectfully submitted,

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